

PETER A. LINDH (061907)
JENNIFER T. SANCHEZ (191548)
GIBSON ROBB & LINDH LLP
100 First Street, 27th Floor
San Francisco, CA 94105
Telephone: (415) 348-6000
Facsimile: (415) 348-6001

Attorneys for Defendant
MATSON NAVIGATION COMPANY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DANIEL MAXIE,

Plaintiff,

vs.

HORIZON LINES, LLC and MATSON
NAVIGATION COMPANY

Defendants.

Case No. C 04-02255 MMC

**STIPULATION AND ~~PROPOSED~~
ORDER CONTINUING PRE-TRIAL
DATES**

For the reasons set forth below, the parties to the above-entitled action stipulate, agree and request that the court continue the dates currently set for expert discovery and the date for filing the joint pre-trial statement.

At the case management conference on January 19, 2007, the court continued the date for the disclosure of experts until March 26, 2007, however under the current pre-trial calendar, the expert discovery cut-off date is March 20, 2007, 6 days before the disclosure. The parties therefor stipulate and hereby request that the date for the close of expert discovery also be continued from March 20, 2007 until April 3, 2007. The parties also stipulate and hereby request that the date for filing their joint pre-trial statement and the for filing jury instructions be continued from March 27, 2007 until April 6, 2007.

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Respectfully Submitted,

Dated: January 22, 2007

BANNING MICKLOW & BULL LLP

By: S/ EDWARD M. BULL III
Edward M. Bull III
Attorneys for Plaintiff
DANIEL MAXIE

Dated: January 22, 2007

LAW OFFICES OF HARVEY I. WITTENBERG

By: S/ HARVEY I. WITTENBERG
Harvey I. Wittenberg
Attorneys for Defendant
HORIZON LINES, LLC

Dated: January 22, 2007

FLYNN DELICH & WISE

By: S/ JAMES B. NEBEL
James B. Nebel
Attorneys for Defendant
U.S. SHIP MANAGEMENT, INC.


Dated: January 22, 2007

GIBSON ROBB & LINDH LLP

By: S/ JENNIFER TOMLIN
Jennifer Tomlin Sanchez
Attorneys for Defendant
MATSON NAVIGATION COMPANY

PURSUANT TO STIPULATION, IT IS ORDERED that expert discovery will remain
open through ~~March 26~~ ^{April 3}, 2007, and the parties' joint pre-trial statement and ~~the~~ ^{the} for filing jury
instructions be continued until April 6, 2007.

DATED: January 23, 2007


UNITED STATES DISTRICT JUDGE
MAXINE M. CHESNEY